

## Environmental Protection Agency

## § 80.41

the pump, clearly readable to the public.

(3) The retailer shall be responsible for compliance with the labeling requirements of this section.

(b) For oxygenated gasoline programs with a credit program and no minimum oxygen content requirement, the following shall apply:

(1) Each gasoline pump stand from which oxygenated gasoline is dispensed at a retail outlet in the control area shall be affixed during the control period with a legible and conspicuous label which contains the following statement:

The fuel dispensed from this pump meets the requirements of the Clean Air Act as part of a program to reduce carbon monoxide pollution from motor vehicles.

(2) The posting of the above statement shall be in block letters of no less than 20-point bold type; in a color contrasting with the intended background. The label shall be placed on the vertical surface of the pump on each side with gallonage and price meters and shall be on the upper two-thirds of the pump, clearly readable to the public.

(3) The retailer shall be responsible for compliance with the labeling requirements of this section.

[57 FR 47771, Oct. 20, 1992]

### §§ 80.36–80.39 [Reserved]

## Subpart D—Reformulated Gasoline

SOURCE: 59 FR 7813, Feb. 16, 1994, unless otherwise noted.

### § 80.40 Fuel certification procedures.

(a) Gasoline that complies with one of the standards specified in § 80.41 (a) through (f) that is relevant for the gasoline, and that meets all other relevant requirements prescribed under § 80.41, shall be deemed certified.

(b) Any refiner or importer may, with regard to a specific fuel formulation, request from the Administrator a certification that the formulation meets one of the standards specified in § 80.41 (a) through (f).

(c)(1) “Adjusted VOC gasoline” for purposes of the general requirements in

§ 80.65(d)(2)(ii), and the certification procedures in this section is gasoline that contains 10 volume percent ethanol, or RBOB intended for blending with 10 volume percent ethanol, that is intended for use in the areas described at § 80.70(f) and (i), and is designated by the refiner as adjusted VOC gasoline subject to less stringent VOC standards in § 80.41(e) and (f). In order for “adjusted VOC gasoline” to qualify for the regulatory treatment specified in § 80.41(e) and (f), reformulated gasoline must contain denatured, anhydrous ethanol. The concentration of the ethanol, excluding the required denaturing agent, must be at least 9% and no more than 10% (by volume) of the gasoline. The ethanol content of the gasoline shall be determined by use of one of the testing methodologies specified in § 80.46(g).

(2) Refiners may choose not to designate as adjusted VOC gasoline or RBOB that otherwise meets the requirements of paragraph (c)(1) of this section, in which case the more stringent VOC standards in § 80.41 apply.

(3) For purposes of § 80.78(a)(1)(v), the “Adjusted VOC gasoline” standards under § 80.41 are the applicable VOC emissions performance standards only for adjusted VOC gasoline that is intended for use in or sold for use by an ultimate consumer in the covered areas described at § 80.70(f) and (i). For purposes of § 80.78(a)(1)(v), gasoline designated as adjusted VOC gasoline that is intended for use or that is sold for use by an ultimate consumer in any covered area in VOC-Control Region 2 other than those described at § 80.70(f) and (i), is subject to the VOC performance standards in § 80.41 applicable to all other gasoline designated for VOC-Control Region 2.

[59 FR 7813, Feb. 16, 1994, as amended at 66 FR 37164, July 17, 2001; 67 FR 8736, Feb. 26, 2002]

### § 80.41 Standards and requirements for compliance.

(a) *Simple model per-gallon standards.* The “simple model” standards for compliance when achieved on a per-gallon basis are as follows: